

REMARKS

In accordance with the foregoing, claims 1, 11, 32, and 34-36 have been amended, claims 4 and 14 have been cancelled without prejudice or disclaimer, and claim 37 has been added. No new matter is being presented. Therefore, claims 1-26 and 32-37 are pending and reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §112:

Claims 4 and 14 are rejected under 35 U.S.C. §112, first paragraph. However, since these claims have been cancelled, this rejection is moot.

THE TELEPHONE CONFERENCE OF SEPTEMBER 15TH, 2006:

Applicants wish to thank the Examiner for the courtesy of the telephone conference of September 15th, 2006, during which amendments to the claims were discussed and informally agreed upon as rendering the claims patentably distinguished from the references. In detail, it was agreed that the recitation of the borders of the openings being defined by notches in the outer edge of the surface and the inner wall of the main body would patentably distinguish the claimed invention from Spahn and Shen. In addition, applicants noted, to the apparent satisfaction of the Examiner, that additional amendments would be made to add clarity to the claims.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-3, 5-13, 15-20, 22-25 and 32-36 were rejected under 35 U.S.C. §102(b) as being anticipated by Spahn (U.S. Patent 6,237,529), and claims 1, 2, 4-12, 14-20, 22-26 and 34 were rejected under 35 U.S.C. §102(b) as being anticipated by Yamanishi (JP 61-156809). These rejections are overcome.

Regarding the rejections of claims 1, 11, 32, and 34, it is noted that, as amended, these claims recite an inner member, including a surface to face the nozzle, suspended from an upper edge of an inner wall of the main body to define one or more openings formed along an outer edge of the surface, borders of the openings being defined by notches in the outer edge of the surface and the inner wall of the main body, so as to allow for a transmittance of the vaporized

organic compound therethrough.

With respect to, at least, the recitation of the notches, which, according to the Examiner, render the claims patentably distinguished from Spahn, it is respectfully asserted that these claims are patentably distinguished from Spahn and that, therefore, the rejections in view of Spahn are believed to be overcome.

With respect to the rejection in view of Yamanishi, it is noted that Yamanishi discloses a baffle board with clipped corners. While the Examiner did not provide a definitive answer as to whether the recitations of the notches distinguish the claims from Yamanishi, it seems clear that Yamanishi does not disclose several important features of the claimed invention. That is, it appears that Yamanishi discloses supporting a shielding material 4 by the top of the crucible and allowing material to move through gaps between the shielding material and the corners of the crucible, which jut out from the profile of the shielding material. Yamanishi, therefore, discloses a different structure from that of the claimed invention. Thus, it is believed that the claims are also patentably distinguished from Yamanishi and that, therefore, the rejections in view of Yamanishi are overcome.

Regarding the rejections of claims 35 and 36, it is noted that these claims recite a baffle board parallel with the upper wall, having one or more openings formed therein, that is suspended from an upper edge of the wall of the main body, borders of the openings being defined by notches in the outer edge of the baffle board and the wall of the main body, so as to allow for a transmittance of the vaporized organic compound therethrough.

Thus, since claims 35 and 36 both recite the notches and suspension of the baffle board from the upper edge of the wall of the main body, it is believed that these claims are patentably distinguished from the reference, and that, therefore, the rejections of these claims are overcome.

Regarding the rejections of claims 2, 3, 5-10, 12, 13, 15-20, 22-25 and 33, it is noted that these claims depend from claims 1, 11, and 32 and are, therefore, believed to be allowable for at least the reasons discussed above.

REJECTIONS UNDER 35 U.S.C. §103:

Since each obviousness rejection depends at least in part upon either Shen, Spahn and/or Yamanishi, since the present amendments render the claims patentably distinguished

from these references, and since none of the additionally cited references cure the defects of Shen, Spahn, and Yamanishi, it is believed that the rejections are overcome.

NEW CLAIM 37:

Applicants note that claim 37 has been added and is believed to be allowable due at least to the fact that claim 37 recites a baffle board parallel with the upper wall that is supported from a lower edge of the wall of the main body, to define an opening bordered by an outer edge of the baffle board and the wall of the main body, so as to allow for a transmittance of the vaporized organic compound therethrough.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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11/3/04

By: _____



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